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Convention on the Rights of the Child

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Committee on the Rights of the Child
Seventy-third session

Summary record (partial)* of the 2147th meeting
Held at the Palais Wilson, Geneva, on Thursday, 22 September 2016, at 10 a.m.

Chair: Mr. Mezmur

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 10 a.m.

Consideration of reports of States parties (*continued*)

Combined third and fourth periodic reports of Suriname (continued)
(CRC/C/SUR/3-4 and CRC/C/SUR/Q/3-4)

1. *At the invitation of the Chair, the delegation of Suriname took places at the Committee table.*

2. **Ms. Dogojo** (Suriname) said that birth registration was carried out in civil registration field offices across all districts in Suriname. Unfortunately, not all persons living in rural and remote areas were able to access such services due to geographical difficulties.

3. In an effort to address the issue of statelessness, an amendment to existing legislation on nationality and residency had been adopted in 2014, ensuring that every child born in Suriname would be granted nationality unless the parents' nationality was different from that of the child. Every child was entitled to a birth certificate irrespective of the nationality of his or her parents.

4. The Government had set up projects aimed at promoting the social contribution of young people in local communities, which would lead to improved youth participation. Community work focused on areas such as character building, organization skills, creativity and mental health. Disadvantaged neighbourhoods were targeted in particular. Community-based organizations led creative and cultural activities for children and supervised sports and games. Young people were also encouraged to work over the summer and to attend youth camps.

5. A national electoral commission had been established for the purpose of national youth parliamentary elections. Candidates were able to campaign individually or in groups. A number of government ministries were involved in supporting the youth elections and a draft law had been prepared on the establishment of a national youth institute, which would ensure that young people were able to campaign freely.

6. With regard to teenage pregnancy, a programme had been launched for teenage mothers, which offered them support and guidance in finishing their school education and trained them in basic life skills.

7. Legislation on care institutions covered a number of different types of establishment, such as those for early child development, those for persons with disabilities, institutions for children in need, and institutions for the elderly. A Bureau for Care Institutions had been set up in 2015 to monitor compliance with legislation. The Bureau worked together with qualified supervisory and advisory boards to that end. All care institutions were required to be registered on the national registration record and data system of the Ministry of Social Affairs. Operating without a registration could result in the imposition of a fine. Inspections of care institutions would soon be conducted by a special monitoring service in accordance with provisions in the law. Standards ensuring quality of care in institutions had already been signed by the Council of Ministers and were currently being considered by the State Council. A protocol for care institutions had also been drafted which was awaiting consideration by relevant stakeholders before being submitted to the Council of Ministers.

8. The implementation of legislation on care institutions was funded by the Government in cooperation with both national and international organizations. The operating costs for care institutions were subsidized by the Ministry of Social Affairs and such establishments also received guidance on methods of self-reliance, such as agricultural training. Awareness raising of existing legislation on care institutions was currently being

planned. For example, the Government intended to translate the law on care institutions, which was currently only available in Dutch, into local languages and into English.

9. Every care institution was required to provide the Ministry of Social Affairs with information on its staff in order to ensure quality of service. Certificates of good behaviour were issued to staff and records of such certificates were also noted on the Ministry's database. If a care institution had been found lacking in its service, it could be issued with a fine. Depending on the severity of the misdemeanour, clients could be removed from the institution or the institution could be closed. The Emergency Act for Child Care in Crisis had been incorporated into the wider framework of the Act on Care Institutions.

10. Legislation on maternity leave had been revised to allow women more flexibility in planning their leave. Previously, women were entitled to six weeks of leave prior to and after the birth of their child. Following the revision in the law, women were still entitled to 12 weeks' leave but could choose to work up to two weeks before the due date of delivery.

11. The draft revision of the Civil Code was currently being considered by the Office of the President. Once revised, it would be sent to Parliament for discussion. Progress on the draft law on the Child Ombudsman had been postponed as a result of plans to establish a national human rights institute, which could encompass a child ombudsman department.

12. In an effort to address the issue of trafficking, law enforcement officials were receiving basic training on how to approach and deal with cases of child trafficking, and how to engage with child victims.

13. **Mr. Cardona Llorens** said that he would appreciate more information on how the Government ensured the sustainability of its funding for care institutions, particularly during times of financial crisis. He was concerned by the State party's decision to institutionalize children with disabilities. Such children should remain in the family home where possible in order to avoid further stigmatization. He wondered whether the Government could amend its strategy by promoting community-based care rather than the institutionalization of children with disabilities.

14. **Ms. Ayoubi Idrissi** said that she would like to know whether there had been any cases of a care institution being closed for non-compliance with the law. She would also appreciate figures on the complaints registered by children in care institutions and the response to such complaints, and clarification as to whether the decision to place a child in care could be overturned.

15. **Mr. Rodríguez Reyes** (Country Rapporteur) said that more information on the challenges pertaining to birth registration would be welcome. He also wondered whether young people who did not have the financial means to pay for an electoral campaign were entitled to financial support if they wanted to run as candidates in the youth parliamentary election.

16. **Ms. Aho Assouma** said that she would be interested to know what measures the Government had taken to encourage parents to register the birth of their child. She asked whether there was a birth registration deadline, what would happen to parents who did not manage to register their child's birth before the deadline, what preventive mechanisms were in place regarding early pregnancy, how young persons were able to access the contraception provided by the Global Fund, whether nutrition programmes were being implemented to address the issue of children who were underweight and those who were obese, what measures had been taken to prevent substance abuse among young people, and how the Government was preventing mother-to-child transmission of HIV, particularly for those living in remote areas.

17. **Ms. Dogojo** (Suriname) said that there was currently no law on maternity leave. Women in the public sector were entitled to 12 weeks' leave but there was no legislation in

place for women working in the private sector. Suriname had signed the International Code of Marketing of Breast-Milk Substitutes and the sale of breast-milk substitutes in health clinics had subsequently been prohibited. National breastfeeding week was celebrated annually and NGOs were active in promoting breastfeeding and distributing pumps to new mothers. The Ministry of Health was in the process of developing a protocol on breastfeeding and certifying a number of hospitals as baby-friendly.

18. A committee had been formed to develop a national plan of action for suicide prevention, which included adolescents among its target groups. Children under the age of 16 could consult mental health specialists, although only in two districts. The country lacked residential establishments for children with mental and psychiatric problems. Teachers were trained in mental health, and there were plans to train media and social workers. Thanks to funding from the United Nations Population Fund, two workers from the Ministry of Education and Community Development were completing a master's degree in family health, and the Ministry of Youth and Sports was implementing a family health programme.

19. Although a sexual and reproductive health programme for young people existed, it was not part of the school curriculum. However, restrictions on their access to contraception and information about sex had been lifted. The youth advocacy movement and youth parliament were raising awareness of teenage pregnancies, sexually-transmitted infections and HIV. Young girls who were pregnant could access health insurance. All pregnant women were tested for HIV, and if the test was positive they received treatment to prevent mother-to-child transmission, as well as free baby formula for two years. A national strategic plan had been initiated to address HIV.

20. School repetition rates were high, particularly among children between 4 and 8 because of their lack of skills and the fact that classes were given in Dutch, which for many children was not a native language. The Ministry of Education and Community Development, with the assistance of the United Nations Children's Fund (UNICEF), was establishing a unit to address the problem.

21. **Ms. Aho Assouma** asked how women who could not breastfeed accessed formula if it could not be purchased in clinics. How were HIV programmes delivered in rural areas?

22. **Mr. Rodríguez Reyes**, noting that women in the public sector were entitled to four months' maternity leave, asked how they were enabled to breastfeed their children for the first six months of life and what steps would be taken to grant the same maternity leave to women in the private sector.

23. **Ms. Dogojo** (Suriname) said that a law on maternity leave for women in the private sector was being drafted.

24. **Ms. Aldoseri** asked whether the bills relating to language had been passed and whether they would address the high repetition rates in early education.

25. **Ms. Ferrier** (Suriname) said that legislation was being drafted that would make education compulsory for children aged between 4 and 16, allowing them to start school during the early stages of brain development and thus acquire a second language more easily. Given that more than 20 languages were spoken in Suriname, providing education in each child's mother tongue was impossible. Other efforts to reduce repetition rates included improving children's skills and screening their development so that they began school only when ready. Although the push to promote breastfeeding had led to the prohibition of the sale of formula in clinics, doctors could prescribe it for women who were unable to breastfeed.

26. **Ms. Dogojo** (Suriname) said that although children with disabilities should be cared for by their families, that was not always possible, and shelters were therefore required.

Those institutions had not been required, however, to immediately comply with the newly introduced standards, but they received assistance in doing so.

27. The worst forms of child labour were punishable under the law, and the Ministry of Justice and Police was responsible for taking the relevant action. The legislation enacted in that regard included a decree on hazardous work undertaken by young people, the inclusion of some of the worst forms of child labour in the revised list of moral offences in the Penal Code and the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. The Ministry of Social Affairs and Housing was preparing to open shelters for child victims of trafficking. The labour inspectorate had not detected any cases of children engaged in hazardous work, and child labour was addressed in its work on health and safety in the mining industry, which it carried out in cooperation with the International Labour Organization. Prosecutions were brought against those who forced children to work, whether in the formal or informal sector.

28. Parliament had approved the ratification of the Convention on the Rights of Persons with Disabilities, and reservations were being formulated. A survey on children with disabilities was being planned with the assistance of UNICEF. The Ministry of Agriculture had produced a list of pesticides that should be prohibited. Children whose mothers were in prison were raised by their wider families or placed in foster care.

29. Measures to tackle poverty included a conditional cash transfer programme that focused on several areas, including children. The Government also provided basic health care for persons aged between 17 and 59 who were unable to pay for it; other age groups received free care regardless of income. Persons with disabilities and poor households received financial support and food supplies, and counselling was available for families, the elderly, children and young people.

30. Parents were required to contribute an annual fee of 35 Suriname dollars towards their children's education. Those who could not afford the fee were assisted by the Ministry of Social Affairs and Housing. While religious schools were responsible for providing educational materials and maintaining school buildings, the Ministry of Education and Community Development paid all staff salaries.

31. **Ms. Ayoubi Idrissi** asked how many labour inspectors there were and whether there were plans to allow young children to live with their mothers in prison so that they could be breastfed.

32. **Ms. Aho Assouma** asked what steps the State party had taken to prevent drug use and to treat and rehabilitate users.

33. **The Chair** (Country Rapporteur) asked whether the Surinamese authorities really believed that all the country's families could afford to send their children to school. Were there no families who were too well off to benefit from government subsidies but not well off enough to pay for the necessary materials for their children's education?

34. **Ms. Dogojo** (Suriname) said that the Ministry of Social Affairs and Housing paid school material fees for households that were unable to afford them. Schools would be starting in the coming weeks. Plans had been made to ensure that no child would be denied access to education as a result of the recent decision to ask families to contribute to the cost of the school materials used by their children.

35. **Ms. Ferrier** (Suriname) said that conditions in the prisons where women were held were so bad that the young children of inmates were better off remaining with extended family or in foster care than staying in prison to be breastfed by their mothers.

The meeting was suspended at 11.10 a.m. and resumed at 11.30 a.m.

36. **Ms. Dogojo** (Suriname) said that elections to the National Youth Parliament were held every three years and that the Ministry of Youth and Sports made funds available to the children participating in those elections. The Surinamese authorities had entered into an agreement with the International Monetary Fund on a stabilization programme, in part to ensure that efforts to enforce important laws were not abandoned for want of funds.

37. Of the 80 employees of the Labour Inspectorate, 50 were inspectors. They were trained to take a particular approach to dealing with child labour. The number of inspectors might seem small, but Suriname, with a population of little more than half a million people, was a small country. In addition, Suriname was receiving technical assistance from the International Labour Organization for the production of a comprehensive study of the extent and characteristics of child labour in the country.

38. **Ms. Brown** (Suriname) said that the ratio of staff members to children in care institutions varied according to the ages of the children. The country's standards required one staff member for every four infants aged 6 weeks to 12 months and one staff member for every six children between the ages of 2 and 4. The ratios of staff members to children were lower for children in older age groups. There was no standard ratio of staff members to children with disabilities.

39. Protocols on the institutionalization of children were currently being developed. The people employed by residential institutions were required to produce certificates of good conduct, and the institutions themselves were required to produce overviews of the professional development activities engaged in by their employees. An outside board monitored compliance with those and other requirements. Under the law, institutions whose staff members abused the children in their care could be issued warnings or fines or even shut down altogether. The Minister of Social Affairs and Housing made the decision as to which penalty to impose.

40. **Ms. Sandberg** said that she wished to know whether the members of the board overseeing the operations of care institutions for children visited those institutions personally and, if so, whether their visits were unannounced. Did they talk to the children in such institutions?

41. **Ms. Dogojo** (Suriname) said that unannounced inspections did take place. Children in the care of the institutions under inspection were interviewed by a person with specialist psychological knowledge. In connection with birth registration, she said that she would welcome a clarification of the question asked by Ms. Aho Assouma, who had referred to some 3,000 persons without birth certificates.

42. **Ms. Aho Assouma** asked what steps the State party intended to take to provide birth certificates to the 3,000 people in the country whose births, according to reports received by the Committee, had never been registered.

43. **Ms. Ferrier** (Suriname) said that people who were not registered did not officially exist. The accuracy of the claim that there were 3,000 such persons was therefore hard to assess. In any event, Amerindians in the interior of the country still had a nomadic culture, crossing international borders with considerable frequency. A project to study ways of improving registration rates in the rural interior was to be completed by the end of 2016.

44. Children born in hospital settings were registered immediately. Persons in rural areas had 16 days to register the births of their children, and in more remote interior areas the time limit was 4 months. A person whose birth had never been registered could obtain a birth certificate by writing a letter explaining his or her situation to the Prosecutor-General.

45. Hard drugs such as cocaine and heroin were prohibited, and the police would arrest those who used them. Ecstasy, however, had not been prohibited, and it was abused by children attending parties or festivals in local communities throughout the country. The sale

of alcohol to minors, although illegal, was an even greater concern. The Government had responded by building more recreational and sports facilities so that children had more opportunities for activities other than using drugs or drinking.

46. Efforts had been made to combat child obesity and ensure that teachers in the interior of the country were properly qualified. One problem in the latter connection was that school curricula drew heavily on Dutch models, most of which were ill-suited to children attending schools located in the farthest reaches of Suriname.

47. The police had been given training in dealing with child victims and witnesses, who were entitled to avoid face-to-face confrontations with the alleged perpetrators of the crimes about which statements were being taken. Specialists, including psychologists and social workers, worked with children involved in court cases to help them understand what they were going through.

48. **Ms. Dogojo** (Suriname) said that it was illegal to sell cigarettes and alcohol to minors under the age of 18 years. The Government had invested in sports facilities as part of efforts to prevent the rise of obesity.

49. **The Chair** said that information would be welcome on the minimum age of criminal responsibility. He asked what measures had been taken to assist girls previously living at the "Mi Abri" residential institution for girls and to improve the condition of the premises of the "Koela" institution for boys. He asked whether a national mental health plan had been adopted and, if so, whether information could be provided on its contents. How did the State party safeguard the rights and standard of living of children of indigenous or Maroon communities in areas affected by logging or mining activity and protect them from forcible displacement?

50. **Ms. Dogojo** (Suriname) said that the "Mi Abri" and "Koela" institutions had been designed for young children facing difficulties at home but were currently occupied by homeless families. The Government opposed the idea of eviction in that regard. A body entitled "New Horizons" had been set up to develop new facilities, such as shelters, for vulnerable groups.

51. **Ms. Ferrier** (Suriname) said that the age of criminal responsibility was currently 12 years. Social workers were assigned to look into the causes of the antisocial behaviour of offenders under the age of 12 years. A national mental health plan had recently been adopted following consultations with experts in that field and relevant data were currently being collected in isolated areas of the country. Efforts were being made to destigmatize mental health issues and highlight the assistance available.

52. Indigenous communities were governed by traditional authority figures, who could give permission for activities such as gold-mining to be carried out on community land. The Government had to balance respect for the traditional authorities and indigenous territorial rights with the rights of children and the needs of the country as a whole.

53. **Ms. Sandberg** said that it was essential to ensure that the traditional authorities did not place children in situations where they were exposed to dangerous substances used in the extractive industries and to related environmental risks.

54. **The Chair** said that information would be welcome on the alleged use of solitary confinement in the case of children held at Opa Doeli juvenile pre-sentence detention facility and Santo Boma prison and on the enforcement of the provisions of the Convention in those facilities.

55. **Ms. Ferrier** (Suriname) said that the Opa Doeli juvenile pre-sentence detention facility offered an example of best practice in Suriname. Child detainees at the facility had access to education and leisure activities and were separated according to sex. Older

children were sent to Santo Boma prison, where they were housed two to a cell and had access to cooking facilities and education, in some cases at schools outside the prison. Under the new Penal Code, a number of non-custodial alternatives to detention were available to the authorities in the case of juvenile offenders.

56. **Ms. Aho Assouma** asked how long it took for birth certificates to be issued to persons who had written to the Prosecutor-General regarding late birth registration. She asked whether that process was complicated and whether it represented an obstacle to birth registration. How did members of the public living in isolated areas and in poverty manage to collect birth certificates?

57. **The Chair** asked whether the State party had any definite plans to become party to the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

58. **Ms. Ferrier** (Suriname) said that the Medical Mission and the Ministry of Regional Affairs offered assistance to persons wishing to contact the Prosecutor-General with regard to birth certificates. The officials working under the Prosecutor-General were in close contact with the population registration service and could consequently process requests for birth certificates within a short period of time.

59. **Ms. Dogojo** (Suriname) said that the Government was currently discussing the possibility of Suriname becoming party to the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption and, in fact, currently implemented a large number of the instrument's provisions. However, full intercountry adoption did not take place in the State party. Suitable adoptive parents were granted supervisory guardianship of the child or children in question and were provided with the necessary documentation in Suriname. They then returned to their country of origin, where the intercountry adoption process was finalized.

60. **Mr. Rodríguez Reyes** (Country Rapporteur) said that the dialogue with the delegation of Suriname had been extremely fruitful. The Committee had noted the progress made by the State party with regard to legislative issues, health and the need to meet the emotional and psychological requirements of children. However, inequalities remained relating to coastal regions and the interior of the country. An independent national human rights institute should be set up as a matter of urgency. The Government might wish to consider strengthening access to basic public services in rural areas and increasing the presence of the State in isolated regions, in order to tackle such problems as the sexual and labour exploitation of children and drug and alcohol abuse among minors.

61. **Ms. Dogojo** (Suriname) said that the Government was committed to maximizing the impact of its child policies. A nationwide mechanism was currently being put in place to enable members of the public to report instances of child abuse. It was illegal to engage in sexual relations with a minor in the State party. The various Government ministries had set aside funds for activities targeting communities in isolated areas.

62. **The Chair** said that the State party reported to the Committee on a regular basis and might wish to consider ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. He expressed the hope that the Government would take into consideration the Committee's concluding observations once they had been adopted.

The discussion covered in the summary record ended at 12.25 p.m.